

## **MINUTES**

### **NATURAL RESOURCES COMMISSION**

**NOVEMBER 8, 2007**

**Diagnostic Center for Population & Animal Health  
4125 Beaumont Road  
Lansing**

#### **PRESENT FOR THE NRC**

Keith Charters, Chairman, Traverse City  
Frank Wheatlake, Vice-Chair, Big Rapids  
Mary Brown, Kalamazoo  
Darnell Earley, Saginaw/Lansing  
John Madigan, Sault Ste. Marie/Munising  
J. R. Richardson, Ontonagon

#### **PRESENT FOR STAFF**

James Riley, Legal Counsel  
Rebecca Humphries, Director  
Dennis Fox, Chief of Staff  
Dennis Fedewa, Chief Deputy  
Mindy Koch, Resource Management Deputy  
James Ekdahl, UP Field Deputy  
Other DNR Staff

### **COMMITTEE OF THE WHOLE**

**Chairman Charters** called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 2:55 p.m.

#### **Director's Action Items - Discussion**

**David Freed, Chief, Office of Land and Facilities**, noted that the Sale of Easement across Dedicated State-owned Land, Pigeon River Country Management Unit – Cheboygan County, Land Transaction Case #20060019, is a landlocked parcel with no access and is a good transaction.

#### **Budget Update**

**Dennis Fedewa, Chief Deputy**, reported that the DNR's Fiscal Year 2007-2008 budget has been signed into law and totals \$288,195,400, of which \$22,743,200 (7.8 percent) is General Fund; \$47,968,900 (16.6 percent) are federal funds; and the remaining amount (75.6 percent) is restricted funds. Of the \$22,743,200 in General Fund, over 52 percent will be passed through to the locals for payments in lieu of taxes. The DNR was reduced beyond its General Fund target, due to the legislative conference committee making

additional reductions to provide the Department of Agriculture \$1,000,000 in funding for local conservation districts. This funding was vetoed.

General Fund reductions will occur in the following areas:

Executive	\$115,600
Communications	\$42,600
Financial Services	\$82,900
Human Resources	\$48,900
Natural Resources Heritage	\$10,000
Cooperative Resource Program	\$75,000
Forest Recreation and Trails	\$423,200
General Law Enforcement	\$700,000
Purchased Lands PILT	\$250,000
Department of Information Tech.	\$300,000

General Fund reductions will result in the closure of an additional 30 state forest campgrounds bringing the total campground closures to 50. All work will cease on pathways throughout the state forests. Previous and future conservation officer vacancies will remain unfilled which will leave some counties without an assigned officer. All outdoor shows will be eliminated. Most administrative support funded vacancies will be eliminated while some division information technology projects will not proceed.

The budget did not include any reductions in program areas affected by the revenue shortfall in the Game and Fish Protection Fund, even though the proposed hunting and fishing license fee increase remain unaddressed. The Legislature did include language in the budget bill that provides intent to address the revenue shortfalls by January 15, 2008. There is also language establishing a work group of seven individuals, four members from the legislature, one individual from both the NRC and the Citizens Committee for Michigan State Parks, and Director Humphries, to develop recommendations by September 30, 2008 for long-term funding. However, if the legislature fails to address the proposed hunting and fishing fee increases by January 15, 2008, additional reductions will have to be made to align spending with anticipated revenues. The DNR is working with bargaining units to address the reductions, layoffs and bumps, which are being held until January 15, 2008.

**Chairman Charters** stated that if there is no action on the hunting and fishing license fees by January 15, 2008, the negative effect will be compounded, and if no action by October 1, 2008 the effect will be even worse.

**Commissioner Richardson** said that a great deal of effort has been put into reaching out to the public. In doing so, he recommends that the public contact their legislators stressing the importance of additional funding for the DNR programs.

**Director Humphries** noted that the appropriated budget is not necessarily the funded amount. She reminded those present that the DNR has already taken a \$20 million cut over the past three years. **Chairman Charters** agreed that all state agencies are taking cuts, but the DNR has already taken cuts prior to this year and if this trend continues, further dilution of the programs will continue. The DNR is already short 20 conservation

officers, and the additional cuts will further reduce enforcement staff as well as reduce training for the officers.

**Director Humphries** said that Michigan has the greatest amount of publicly owned land east of the Mississippi River with the least amount of funding to manage these lands. The additional cuts will “be bleeders.”

### **TRIBAL PRESENTATIONS**

**Director Humphries** called Jim Dexter, Kelley Smith, Tammy Newcomb, and Todd Grischke, Fisheries Division; Lynne Boyd, Forest, Mineral and Fire Management Division; Jim Ekdahl, UP Field Deputy; and Chris Dobyns and Marie Shamraj, Department of Attorney General, to join her in the front of the meeting room. Bill Moritz, formerly Wildlife Division Chief, and Richard Clark, Fisheries Division, were unable to attend. All of these individuals received a white pine plaque in recognition of their efforts. She said these individuals helped bridge more than 170 years of history to interpret and define inland hunting and fishing rights for five Native American tribes. By interpreting these treaty rights and working with the tribes in negotiations, Michigan reached a fair agreement that protects the resources and addresses tribal needs.

This agreement is especially significant in that all of the parties were able to work together to resolve this difficult and complex issue without risking the uncertainties of litigation. It is a fair compromise and will provide stability and predictability in an area of former legal uncertainty. It would take a very long time to sum up the hours of work, research, negotiation and discussion that went into reaching this point where we are today.

**Director Humphries** also recognized Dennis Knapp, Executive Division, and the Office of Communications for their assistance in the education and outreach components that were and are critical to a successful rollout with stakeholders and DNR employees.

On behalf of the Department and the NRC, **Director Humphries** offered her deepest gratitude to the members of the tribal negotiations team for the Treaty of 1836 inland consent decree in reaching a meaningful and historic resolution.

**Jim Ekdahl** said this is his third round of tribal negotiations and although it was a great deal of time and effort, every participant “brought something to the table.” All of the negotiators were interested in protecting the resources. **Chris Dobyns** commended the tribes for their part in the negotiations and said the tribes were very committed.

**Chairman Charters** believes the agreement reached was an excellent one and said it is rare to result in a win-win in these types of situations, but it was reached. He commended the team for their work.

The Committee of the Whole meeting adjourned at 3:40 p.m. and the Public Appearances portion of the NRC meeting convened at 4:00 p.m.

**PUBLIC APPEARANCES**

Marcia Boynton, Waterloo Hunt Club  
John Conley, Michigan Mountain Biking Association  
Karen Hathon, Equine Unit Leader, Sheriff's Department  
Eric Isaacsen, Michigan Mountain Biking Association  
Cynthia Kieliszewski, Alpena County Horsemen's Club  
Therese Kline, Michigan Trail Riders Association  
Richard Kropf, Pigeon River Country Association  
Rachel Kuntzsch, Heart of the Lakes  
Bill Mayer, Michigan Mountain Biking Association  
Walter Nitz  
Ellen Nitz  
Rebecca Park, Michigan Farm Bureau  
George Reeves  
Steve Sharp, Wild Turkey Federation, Michigan Chapter  
Jenness Weigand  
Jan Woofen, Michigan Trail Riders Association  
Amy Spray, MUCC

**Rebecca Park, Michigan Farm Bureau**, stated that Michigan Farm Bureau policy supports biological science; encourages hunters to hunt responsibly; and supports the expansion of the disease control permit regulations. Ms. Park assumed the position formerly held by Tonia Ritter who succeeded Ron Nelson.

**Therese Kline, Michigan Trail Riders Association**, said they have worked in concert with the DNR since 1963, but opposed the horseback riding restrictions identified in the Pigeon River Country State Forest Concept of Management (PRCSFCOM). Following are some of the comments offered:

1. Relative to horse manure: the Association would like the opportunity to resolve the issue of whether weed or seed is spread through horse manure;
2. Horses and vehicles are a dangerous combination and horse riders are concerned that riding the roads would be unsafe;
3. Recreational Use Criteria: She asked that this be further discussed and possibly consider a bridle fee to offset some of the expenditures to maintain the PRCSF.

**Ms. Kline** said the Association took part in the original wording but was not involved in the final proposed draft Concept of Management (COM). **Mindy Koch** said that Committees were formed by the COM Steering Committee to address the various aspects of the COM. These Committees made recommendations to the Steering Committee. She noted that no changes can be made to the management of the PRCSF until Land Use Orders of the Director are issued – even if the COM is approved by the Director. It is the intent of staff to delay issuing Land Use Orders of the Director commensurate with the COM until additional discussions are held with user groups to discuss issues of recreational use and to address the wild nature of the PRCSF.

**Commissioner Wheatlake** noted that there are many areas in the state to ride horse trails. Horse riders would like more.

**Bill Mayer, President, Michigan Mountain Biking Association**, requested allowing mountain biking to continue on the Shingle Mill Pathway in the PRCSF. As a user group, he hopes they can continue to work with DNR and user groups and reconsider the final draft. He requested continued access by bicyclers in the PRCSF.

**Eric Isaacsen, Michigan Mountain Biking Association**, has worked over 1000 hours on the Shingle Mill Pathway in the PRCSF. He said that bikers are stewards of the areas they use and bikers' presence on the trails curtails wrongdoings. He requested that this pathway remain open to bikers and supports fees being assessed to bikers.

**Steve Sharp, Wild Turkey Federation, Michigan Chapter**, recognized **Sarah Kennedy**, a high school student at Saranac High School, as the winner of this year's Annual Turkey Patch Art Contest. The Wild Turkey Federation, Michigan Chapter, along with the National Wild Turkey Federation, the Michigan Department of Natural Resources, and Project WILD, sponsor the contest each year.

**John Conley, Michigan Mountain Biking Association**, reported that the Association has been in place since 1990. The bike pathway in the PRCSF has existed for many years and he believes that the bikers' rights are vested in the PRCSF. Members of the Association and the bikers that utilize these trails assist in maintaining and making the trails better. He encouraged keeping the trails open to bikers.

**George Reeves** supports the PRCSFCOM as proposed and opposes changing the original intent of the COM, which is to maintain the area in a natural/wild state.

**Jan Woofen, Michigan Trail Riders Association**, intends to write her legislators in support of more funding for the DNR programs. She stated that horse trail rider numbers are increasing, and she supports keeping trails in the PRCSF open for horse riders. Riding horses on roads is very dangerous, and anything that can be done to keep horses off the roads would be helpful. She believes trail riders could be a great resource for the DNR.

**Amy Spray, MUCC**, presented a letter sent to Senator Mike Bishop and Representative Andy Dillon on October 29, 2007, and co-signed by 26 different resource groups, including MUCC, supporting increased hunting and fishing license fees, recognizing this is a temporary fix to a long-term problem. Specifically, the letter requests that the Legislature implement a small license fee increase, sufficient to cover the projected two-year deficit, in order to keep critical DNR services up and running, with a two-year sunset. In addition, this group will work within that two-year time frame to develop a series of key reforms that will help increase the effectiveness of the DNR and ensure that the DNR is meeting constituent needs. The letter states that members are willing to pay for increased license fees to ensure long-term sustainable, quality hunting, fishing and trapping.

**Karen Hathon, Equine Unit Leader, Sheriff's Department**, believes that the presence of horse back riders in the PRCSF could deter criminal activities on the trails. She requested that horse back riders not be banned from the trails.

**Richard Kropf, Pigeon River Country Association**, supports approval of the proposed PRCSFCOM with more flexible language regarding recreational use restrictions.

**Cynthia Kieliszewski, Alpena County Horsemen's Club**, said over 500 members of the Club support the DNR and have had a great working relationship with the PRCSF staff. She has deep concern, however, about the safety of the riders and the potential restriction to the use of the roads. She did not believe enough time was given to comment on the draft COM and requested postponing action. The Club wants to work together in management of the PRCSF.

**Rachel Kuntzsch, Heart of the Lakes**, stated that Michigan is among the national leaders in terms of the amount of diversity of natural resources land cover. However, Michigan is at the bottom in terms of how much it spends to protect those resources. The information was derived from the preliminary summary of findings from the Heart of the Lakes' study, "Establishing a National Benchmark for State Fund of Natural Resources Conservation and Management." All things being equal, she said, Michigan is last. It was found that spending on natural resources programs is not driven by resource endowment. This information needs to be directed to the public and back to the legislature.

#### **2007 Hunter Education Volunteer Instructor of the Year Award**

**Director Humphries** presented the 2007 Hunter Education Volunteer Instructor of the Year Award to an individual from Michigan's Northern Lower Peninsula who has volunteered as a hunter education instructor for over three decades. **Richard Kiessel** from Crawford County has been a volunteer hunter education instructor since 1974, and touched the lives of thousands of youngsters through hunter safety education. Mr. Kiessel and his wife, Nancy, who is also a volunteer hunter education instructor, live east of Grayling in the heart of the Kirtland's Warbler area with wildlife abundant out every window of their home.

Mr. Kiessel retired as a public school teacher in Wayne County. In the early 1970s, as a public school teacher, Mr. Kiessel convinced the school administration to allow him to offer hunter education in the gymnasium. As a retiree, Mr. Kiessel often finds himself busy putting together his next hunter education class or helping fellow instructors improve their teaching skills, as a volunteer instructor coordinator for Crawford, Oscoda, and Roscommon counties. He has been personally responsible for recruiting over 50 hunter education instructors and has trained almost 400 instructors in the last three years.

Mr. Kiessel is an avid sportsperson, hunter, and fisherman, and is a member of several natural resource and sportsmen's organizations. As a very active member and Community Service Coordinator of the Mio Moose Family Center where he regularly holds a hunter education class, he demonstrated the importance of hunter education within the community and earned the designation of "Moose of the Year" for his efforts. He has been instrumental in helping disabled students, like blind student Nick Bennett, not only successfully complete hunter education, but experience an all-expenses paid hunt where Nick harvested an eight-point buck.

Volunteerism is a day-to-day experience for Mr. Kiessel, who also serves during the local J.A.K.E.S. events of the National Wild Turkey Federation and promotes scholarship awards for high school students.

**Director Humphries** recognized Mr. Richard Kiessel with the 2007 Hunter Education Volunteer Instructor of the Year Award. He has displayed dedication to teaching firearm safety, natural resource appreciation, and has introduced thousands of children and adults to the outdoors. His leadership and volunteerism make him a true role model among Michigan residents and visitors.

**Mr. Kiessel** said being instructor has given him a chance to work with kids, but said he didn't receive this award alone. He thanked the DNR staff for doing an outstanding job in meeting needs for supplies and specifically complimented Kevin Davis, Conservation Officer and others for their contributions to the program.

**Public Appearances (continued)**

**Marcia Boynton, Waterloo Hunt**, noted that trail riders have a stake in land usage as do hunters and fishers of the state. She supports collaboration of maintenance of trails, such as in the PRCSF, and requested there be more public comment opportunities on the PRCSFCOM. Trail riders would like to participate in the development of land use orders for the PRCSF.

**Mindy Koch, Resource Management Deputy**, read a letter from **Peter Gustafson, Chair, Pigeon River Country Advisory Council**, into the record. In this letter, Mr. Gustafson stated, "The Advisory Council believes that the Department and all of us as interested citizens of this great state, have a unique opportunity to take further steps to protect the wonderful place that is the Pigeon River Country. The updated Concept of Management does so, and we urge its approval and adoption by Director Humphries."

**Walter Nitz** said that the residents existed prior to the development of the Island Lake Shooting Range. The concept of the shooting range was approved in 1989.

**Ellen Nitz** asked that the noise from the Island Lake Shooting Range be brought to a tolerable level. She said they would be happy to work together to resolve the noise issues.

**Jenness Wiegand**, said the residents were there before the Island Lake Shooting Range and that the original plan did not include sporting clays. She said that the noise from the range is audible even with windows closed in her house.

**Director Humphries** said she met with Senator Garcia to discuss the Island Lake Shooting Range. He is well aware of the fact that the residents were there first and the intent is not to be bad neighbors. She also mentioned that there has been a lot of misinformation regarding the Range. The concessionaire has done a good job at building a shooting program at Island Lake.

The Public Appearances portion of the meeting adjourned at 5:41 p.m., and the Regular Meeting of the NRC convened at 5:42 p.m.

**APPROVAL OF MINUTES – OCTOBER 11, 2007 NATURAL RESOURCES  
COMMISSION MEETING**

Commissioner Richardson made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

**DISEASE CONTROL PERMITS, WILDLIFE CONSERVATION ORDER, AMENDMENT  
NO. 16 OF 2007**

Commissioner Madigan made a motion, supported by Commissioner Earley, for approval. Motion unanimously carried.

**SPRING WILD TURKEY SEASON UNITS, DATES AND LICENSE QUOTAS,  
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 17 OF 2007**

Commissioner Madigan made a motion, supported by Commissioner Earley, for approval. Motion unanimously carried.

**STATE FOREST TRAIL ACQUISITION, ATLANTA MANAGEMENT UNIT – PRESQUE  
ISLE COUNTY, ALPENA TO MACKINAW TRAIL, LAND TRANSACTION CASE  
#20070273**

Commissioner Wheatlake made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

**DIRECTOR'S ACTION ITEMS**

Director Humphries intends to approve all Director's actions on the Agenda.

**Director Humphries** commented on language in the PRCSFCOM. It is not her intent to send any message of intent on use of state lands for horse or mountain bike usage. They are growing sports, but there are also areas where these uses are not commensurate with maintaining the PRCSF as it was intended when the land was purchased. The wording in the final draft indicates that horse camping shall be restricted to Elk Hill Equestrian State Forest Campground and Trail Camp and Johnson's Crossing Trail Camp. There will be no expansion of those existing horse campgrounds or the addition of horse campgrounds, unless otherwise approved by the Director. That wording already exists for bikers. This allows for further planning to meet the needs for safety and restricted use in that area, but also makes sure it is appropriate usage. It is her intent to address these issues before the spring when horse riders and bikers resume usage. A work group will be established to address the issues and will include horse riders.

**NRC POLICY COMMITTEE ON LAND MANAGEMENT**

The NRC Policy Committee on Land Management met at 10:00 a.m. on November 8, 2007. See attached minutes from that meeting.



**NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES**

The NRC Policy Committee on Wildlife and Fisheries met at 1:15 p.m. on November 8, 2007. See attached minutes from that meeting.

**DISABILITIES WORK GROUP**

**Chairman Charters** announced that he will be appointing a work group to address issues related to hunters with disabilities at the next NRC meeting.

**COMMISSIONER REPORTS**

**Commissioner Mary Brown** was inducted into the Michigan Women's Hall of Fame. The NRC congratulated her on the receipt of this honor and said there is no one more deserving.

**Commissioner Madigan** reported that a UP Habitat Work Group meeting was held in Marquette on October 21.

\* \* \*

The meeting adjourned at 6:00 p.m.

**NRC Policy Committee on Land Management  
Meeting Minutes  
November 8, 2007  
10:00 a.m.**

Present

Commissioner Keith Charters, Chair  
Commissioner Mary Brown  
Commissioner Frank Wheatlake  
Commissioner John Madigan  
Commissioner J. R. Richardson  
Director Rebecca Humphries  
Mindy Koch, Resource Management Deputy  
Dennis Fedewa, Chief Deputy  
Jim Ekdahl, UP Field Deputy  
Dennis Fox, Chief of Staff  
Dave Freed, DNR, OLAF  
Lynne Boyd, DNR, FMFM  
Kelley Smith, DNR, Fisheries  
Tom Courchaine, DNR, LED  
Pat Stewart, DNR, Communications  
Dan Eichinger, Acting Legislative Liaison, DNR  
Annamarie Bauer, DNR, FMFM  
Steve Sutton, DNR, Fisheries  
Kerry Wieber, DNR, FMFM  
Cindy Salmon, DNR, OLAF  
Ed Meadows, DNR, OLAF  
Kelly Siciliano Carter, DNR, Wildlife  
Steve Schmitt, DNR, Wildlife  
Jean Fierke, DNR, Wildlife  
Julie Manson, DNR, FMFM  
Karen Maidlow, DNR, FMFM  
Andrea Turner, DNR, FMFM  
Kimberly Venne, DNR, FMFM  
Tom Wellman, DNR, FMFM  
Hal Fitch, Department of Environmental Quality (DEQ)  
Marcia Boynton, Waterloo Hunt Club, Grass Lake  
Bryan Burroughs, MI Council of Trout Unlimited  
Jon Cherry, Kennecott Eagle Minerals Co.  
Carol Clute, Pigeon River Advisory Council  
Gail Currell, Michigan Trail Riders Association  
Jim DeClerck, Saginaw Field & Stream  
Virginia Franklin, Shore to Shore Trail Riders  
Bill Fulkerson, Warner Norcross & Judd  
John Gonway, MI Mountain Biking Association  
Jean Hall, Michigan Oil & Gas Association (for Frank Mortl)  
James Hathon, Michigan Sheriff's Mounted Assoc.  
Karen Hathon, Eaton Co. Mounted-Private Citizens  
Jan Herrick, Waterloo Hunt Club  
Bob Hess, Pigeon River Advisory Council

Therese Kline, Michigan Trail Riders Association  
Larry Knuth, Concern for all Forms of Life (Kennecott)  
Richard Kropf, Pigeon River Country Association  
Gloria McKenzie, Michigan Horse Community  
Gale Moore, Sleepy Hollow Trail Riders Association  
Melva Parker, MI Horse Council  
Dick Ranney, ORV Advisory Board  
Arch Reeves, Pigeon River Advisory Council  
Marvin Roberson, Sierra Club  
Bill Rustem, Public Sector Consultants  
Renee Sandborn, Michigan Trail Riders Association  
Joan Schram, Michigan Trail Riders Association  
Lewis Shuler, Cycle Conservation Club of MI  
Nancy Simmonds, MI Horse Council  
Gene Smary, Warner Norcross & Judd  
Ken Vandervest, Fort Custer Horse Friends

Chairman Keith Charters called the meeting to order at 10:05 a.m.

#### **1. Kennecott Mine Proposal**

**Lynne Boyd, Chief of FMFM**, provided a briefing of the DNR portion of the Kennecott proposed mining project in Marquette County. In 1992 the DNR issued two metallic leases that each includes 40 acres. Numerous holes have been drilled. The leases transferred from Quigley to Kennecott in February 2006, and Kennecott immediately submitted a mining permit application to both DNR and DEQ. The DNR Director is the decision-maker on the mining and reclamation plan.

In 2006, the DNR convened a mining team including DNR and DEQ staff. Litigation occurred in the summer of 2006 regarding the mining permit with DEQ. The issue was resolved in October, and the DNR began reviewing the application again and transmitted comments to the DEQ for inclusion in the mining permit.

In September 2007, there was a series of public hearings held in Marquette and Lansing by DNR and DEQ to receive public comment. The DEQ and DNR have reviewed all the comments; the DNR is still accepting comments until the Director makes a decision. There are some unresolved issues remaining, so the Director hopes to make a decision in early 2008. The mining and reclamation plan is posted on the DNR web site.

Kennecott's comments and public comments are being reviewed. Ms. Boyd said she is unsure of the status of the air, water and mining permits in DEQ. All comments and responses will be posted to the web site.

The DNR has the responsibility of issuing the surface use lease because the ore is under a different body than the surface lease. This is a preferred site for Kennecott, as well as the DNR/DEQ.

**Hal Fitch, DEQ**, said DEQ's decision is due November 14, by statute.

**Jon Cherry, Kennecott**, said the ore body was discovered in 2002. After much design work, Kennecott chose the surface location as the best and safest. It has been almost two years since Kennecott first submitted its application, and they are ready to go. Approximately 120 full time jobs may be created.

Kennecott is 99 percent in agreement with the proposed lease, leaving a little room for clean-up of language within the lease.

**Director Humphries** said the DNR needs to have the Land Use Orders of the Director Amendment prepared by the first part of December in order to place it on the January 10, 2008 NRC Agenda.

**Lynne Boyd** said a surface use lease must be approved, and the ore body requires a Mining and Reclamation Plan, so there are two decisions to be made.

**Gene Smary** said it would be beneficial for them to break ground this year; it triggers tax implications for next year. The local property taxes that go to the county, township, and local school district would be paid in 2008. **Director Humphries** said that is not possible, considering the timeframe needed for public notice. **Mr. Smary** said he thought we had already done all the public notice through the combined hearings with the DEQ.

**Lynne Boyd** explained that the Commission format accommodates for public comment.

**Chairman Charters introduced Commissioner Wheatlake, who had joined the meeting.**

## **2. Pigeon River Country State Forest – Concept of Management (PRCSFCOM)**

**AnnaMarie Bauer of FMFM** presented an update on the PRCSFCOM. The Pigeon River Advisory Council members introduced themselves. **Ms. Koch** expressed appreciation for all their work. She also acknowledged **Joe Jarecki**, the retired Pigeon River Country State Forest Manager, who is still putting in a tremendous amount of time and helping out a great deal.

The PRCSFCOM had not been reviewed since 1973. There is an emphasis on wildlife management in this concept. The Pigeon River Country State Forest extends into three counties (Cheboygan, Otsego, and Montmorency), and has grown since 1973. It is approximately 180 square miles. There are specific areas for oil and gas development. The new Concept of Management addresses these new areas.

There are reasons why the DNR decided to review the Concept of Management two years ago. Technology has evolved, as well as scientific knowledge. The surrounding area has been developed, as well as public use changes over the years, such as mountain biking.

**Commissioner Madigan arrived.**

The Goal of the review is to write a plan that was consistent with the funding sources used to purchase the land. It was primarily (over 50 percent) Game and Fish Protection Fund money, so the uses of the land need to be consistent with that funding source.

The final draft of the PRCSFCOM is slated for action by Director Humphries at the Natural Resources Commission meeting to be held later today. Following are summaries of the changes made to date in the proposed PRCSFCOM.

Forest Cover and Wildlife Habitat Management – A percentage will be dedicated to specific species and vegetative types.

Aquatic Resources. This plan will open lakes for fishing opportunities that were previously not allowed due to research. Only electric motors will be allowed on boats in the river and lake systems on state land.

Recreation Law enforcement has been the most controversial. Approximately 142 comments were received on this portion of the plan; mostly recommending better control on recreational uses, because these uses are damaging the forest. Ms. Koch believes these uses have affected the wildlife in the Pigeon.

Enforcement – Additional emphasis will be on regulating large events. One of the changes is that snowmobiling will be prohibited for cross-country use and only allowed on county or state forest roads.

Horseback Riding has generated a lot of comments, and it will be prohibited off-road or cross-country but allowed on roads. This also applies to mountain biking.

Camping will be confined to two campgrounds for equestrian use.

There is a Land Use Order of the Director Amendment up for approval today to prohibit snowmobiling, except on designated roads.

Additional review of the locations where mountain biking and horseback riding will be allowed is being done and will be addressed in the spring of 2008.

Ms. Koch reviewed a map that showed the designated equestrian trail, Shingle Mill Trail, and the High Country Trail.

Each of these designated uses will need to come before the Director as a Land Use Order. The only Land Use Order before the Director today is for snowmobile use.

There will be no new sand and gravel pits allowed. Those that exist are only used for very minor removal by the state and counties.

No commercial alternative energy development will be allowed to maintain the wilderness character.

New development for oil and gas involving state-owned minerals will not be allowed. This is a fairly significant change. **Commissioner Wheatlake** asked if we can prohibit transmission lines, and Ms. Koch believes the DNR does have that right.

Private Land Ownership – The DNR spoke to the surrounding landowners and requested that they maintain their parcels consistent with the Pigeon River Country State Forest. Approximately 7,450 acres (114 parcels) of private ownership lie within the boundary of the Pigeon River Country State Forest. Forty-five percent of the private in-holdings have no structures on them. These in-holdings are a priority for land acquisition, should they become available.

**Director Humphries** reiterated that this land was purchased with Game and Fish Protection Fund money (hunting and fishing license fees), and management is legally bound to only hunting and fishing activities. Horses have been banned on southern Michigan game areas, because it was found to be a non-compatible use by the U.S. Fish and Wildlife Service. The DNR is not proposing to ban horse use or mountain bike use in the Pigeon River Country State Forest. However, the Concept of Management suggests that the primary use of this area is habitat restoration, and hunting and fishing. Maintaining the beauty of the PRCSF is the primary focus of the PRCSFCOM.

**Commissioner J. R. Richardson arrived.**

**Chairman Charters** called **Carol Clute, Alpena County Horsemen**, to comment. She addressed off-site campsites. She believes horseback riding is a family event. Her concern is with eliminating the trails and making them use the gravel roads, and the concern is with a stone being thrown and hitting a horse. That is a safety issue. They had no information of the Concept of Management until October 19. She requested additional time for public comment.

**Commissioner Wheatlake** said horses can ride the county roads and the forest roads. **Ms. Koch** clarified that management roads (those that are gated) will not be allowed for horse use under this COM.

**Chairman Charters** asked **Carol Clute**, based upon what **Ms. Koch** and **Director Humphries** have said, if they understand about this property being purchased by Game and Fish Protection Fund monies, so that has to be the primary use? **Chairman Charters** stated that most of the phone calls the Commissioners received related to the fees, and the horse riders can't afford them. He does not believe there will be much sympathy for that argument. **Ms. Clute** stated that yes, the camping fee is their concern, and people will stay away due to the cost. She said the biggest use of campgrounds for horse use is September and October, which conflicts with hunting use.

The shore to shore is 37 miles, north to south. There is close to 300 miles of available trails/roads for horses.

### **3. Axiom Development Proposal**

**Dave Freed, Office of Land and Facilities**, will provided a brief status report. An outstanding Letter of Intent exists with the developer of Axiom that expires December 13, 2007. In 2000, the Department entered into a Memorandum of Understanding (MOU) with what is now the Crawford County Economic Development Partnership, for the potential purchase of roughly 1,800 acres in an area just east of I-75 in Grayling, at the 4-Mile Road interchange. In June 2006, the DNR entered into the Letter of Intent with Axiom, at the request of the local unit of government.

The DNR has worked with Axiom on and off for the past 16 months, which culminated in a meeting recently between Axiom, the Michigan Economic Development Corporation (MEDC), DNR, DEQ, a representative from the Governor's office, and MDOT. The MOU has several detailed requirements that must be met before the land would be sold. The local units of government have sent us resolutions that they have reviewed the business plan and they support this project.

Axiom indicates they have financing for the entire project (\$161 million project). The DNR asked them to provide proof to MEDC. MEDC will also do a detailed review of the business plan. There are additional environmental questions that have been provided to Axiom, and they will respond to DEQ soon.

If all concerns are addressed, staff is proposing to bring this sale of the land to the December 2007 NRC meeting for the Director's consideration.

**Commissioner Brown** asked what assurances exist that the potential property owners will follow the business plan and they will not do something different with the land? **Mr. Freed** said that he and Ms. Koch did address that with Axiom Entertainment this week, and they are open to those kind of assurances being in place if this moves forward. **Chairman Charters** asked what the theme is. **Mr. Freed** said it will include a water park, campground, horse stables, an aircraft carrier, a snowmobile trail on the outskirts of the property, etc.

**Chairman Charters** said he is in favor of Crawford County economic development; however, it is important that this project is financially viable. He is also concerned with the proximity of the Au Sable River, and needs assurance that it will not be degraded.

**Commissioner Brown** stated that Crawford County has very little say, and they are dealing with a small township. **Chairman Charters** clarified this is for tax abatement.

**Director Humphries** said that since the Letter of Intent expires on December 13, the DNR had intended not to extend for lack of necessary information.

A lot of time has been invested with Axiom on this project, and is not where time should be spent. If it is a viable project from other components, then the DNR will give it further consideration. At that point, we would look very carefully at protecting the states' interest and future use of that parcel along with adjoining lands, especially because of the proximity of the Au Sable River and the recreational values.

#### **4. Land Consolidation – Phase II Update**

**Kerry Wieber, FMFM, and Steve Sutton, Fisheries**, provided a brief update on the status of this project.

The recommendations for the seventh group of counties will be presented for NRC/Director action this afternoon.

Staff received a considerable amount of public comment from the Crawford County Planning Commission regarding the recommendations for Crawford County. They would like to see the DNR release more land in Crawford County as recommended.

Parcels for the eighth and final group of counties are currently being reviewed by field staff. The field review will be complete by December 14, 2007. Public meetings for the eighth group of counties will be scheduled for early February 2008. Once the seventh group is approved, 72 of 83 counties total will have been reviewed and completed.

**Commissioner Madigan** had a question regarding Alger County parcels. **Kerry Wieber** told him the 13 listed as disposed are what is before the **Director** to put up for sale to the public. **Kerry Wieber** said the offered parcels are only to be offered to local government or conservation organizations and must be maintained for public use. If the alternate conservation owners are not interested, then they would be retained by the state.

The **Director** asked if there were any questions regarding the land transactions that are before the Director for approval today.

**Commissioner Wheatlake** asked on page 179, why are we changing the boundary of Aloha State Park? **Kerry Wieber** said when the boundary was originally reviewed, we missed a few state-owned parcels that were not included in the boundary. During Phase 2 review, this was discovered, and we realized that those parcels should be included.

**Ed Meadows, Land and Facilities**, said that the purchase of an additional parcel for Aloha is that Parks Division would like to move our entrance to the park, and we have a willing seller that would allow us to do this.

**Chairman Charters adjourned the meeting at 11:35 a.m.**



**NRC Policy Committee on Wildlife & Fisheries  
November 8, 2007**

The meeting convened at 1:15 p.m.

Present for the Committee was Commissioner Madigan. Commissioners Charters, Brown, Coleman, Richardson and Wheatlake were also present.

**Reptile and Amphibian Regulations**

**Todd Grishke, Fisheries Division**, provided reptile and amphibian harvest recommendations and provided background on the current demand and trends in relation to the Michigan turtle population.

The following are the Division's recommendations:

- The commercial harvest of reptiles and amphibians should be prohibited.
- They would create three categories of recreational harvest opportunities - high, medium, and low risk. In the high risk group (Blanding's, wood, spotted, and Eastern box turtles) recommended maintaining current regulations of prohibiting all harvest. For medium risk group (snapping and softshell turtles), daily possession limit 3 (no more than 1 of each species); total possession limit 4 (no more than 2 of each species). Snapping turtle minimum size limit of 13 inches.
- The season would be July 15 to September 15.
- Low risk group (red-eared sliders, painted, map and musk turtles) it is recommended that there be a daily possession limit of 2 (no more than 1 per species), and a total possession limit of 4 (no more than 2 of one species).

**Mr. Grischke** further explained the Division's rationale for these decisions, which included the turtles ability to recover as a population and development effects on the population.

**Disease Control Permits**

**Rodney Clute, Wildlife Division**, presented recommended changes to the Disease Control Permits. The new changes would include the following:

- No longer need to purchase a deer hunting license with this permit (no cost to the user);
- The disease control permits could be used for any disease - not just chronic wasting disease and bovine tuberculosis;
- The permit would be mailed by a DNR representative.

**Commissioner Brown** asked that the Division evaluate the use of the permits for 3 years if this is approved.

The meeting adjourned at 2:15 p.m.